

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

EXPERIENCE BASED LEARNING, INC.,)	
)	
Plaintiff,)	
)	
vs.)	No. 07 C 50217
)	
CHARLIE ALEXANDER,)	Judge Frederick J. Kapala
)	
Defendant.)	Magistrate Judge Mahoney

PARTIES' PROPOSED CASE MANAGEMENT ORDER

I. Pursuant to Fed. R. Civ. P. 26(f), a meeting was held by telephonic and/or electronic means on January 23, 2008 and was attended by:

Craig P. Thomas for plaintiff;

Stephen E. Balogh for defendant.

II. Fed. R. Civ. P. 26(a)(1) materials will be exchanged by February 29, 2008.

III. Alternative Dispute Resolution Mediation. Counsels hereby certify that their respective clients have read the Pamphlet governing the court's mediation program, that counsels have discussed with their respective clients the available dispute resolution options provided by the court and private entities, and that counsels have given an estimation of the fees and costs that would be associated with the litigation of this matter, through trial, to their clients. Further, counsels have provided to their clients an estimate of the fees and expenses reasonably expected to be incurred through an early successful mediation. Counsels certify that they have discussed the available ADR options with their clients and have considered how this case might benefit from those options. Lastly, if this is a fee shifting case, defense counsels certify they have discussed the advantages and disadvantages of making a Rule 68 offer of judgment.

The parties request a conference with the Magistrate Judge pursuant to Rule 16.

IV. Discovery Plan. The parties jointly propose to the court the following discovery plan:

- A) Discovery will be needed on the following subjects:
 - Whether there has been a breach of contract by defendant;
 - Whether affirmative defenses are available to defendant.
- B) Maximum of 25 interrogatories in each party to any other party.
- C) Maximum of 100 requests for admission by each party to any other party.
- D) Maximum of 10 depositions by plaintiff and 10 by each separately represented defendant or defendant group.
- E) Each deposition shall be limited to a maximum of 3 hours except that the depositions of Charlie Alexander and Steve Gustafson shall each be limited to one business day not to exceed 6 hours.
- F) Fact discovery cutoff is set for October 31, 2008.
- G) Rule 26(a)(2) discovery is reserved.
- H) Final discovery cutoff is reserved.
- I) Time for the parties to amend pleadings and add counts or parties is hereby established as June 30, 2008.
- J) The parties suggest the next discovery conference with the court be April 25, 2008.

All dispositive motions will be due December 1, 2008. The parties agree pleadings, motions and briefs may be exchanged by e-mail, fax or other electronic means.

Entered: _____

Magistrate Judge P. Michael Mahoney